

LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES, CALIFORNIA 90012-2601  
TELEPHONE (213) 250-1800

1 STEPHEN H. TURNER, SB# 89627

E-Mail: turner@lbbslaw.com

2 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

221 North Figueroa Street, Suite 1200

3 Los Angeles, California 90012

Telephone: (213) 250-1800

4 Facsimile: (213) 250-7900

5 ROGER S. RAPHAEL, SB #111946

E-Mail: raphael@lbbslaw.com

6 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

One Sansome Street, Suite 1400

7 San Francisco, California 94104

Telephone: (415) 362-2580

8 Facsimile: (415) 434-0882

9 Attorneys for Defendant Patenaude & Felix, APC

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

13 EMELIA M. PASTERNAK,

14 Plaintiff,

15 v.

16 TRANS UNION, LLC, EXPERIAN  
17 INFORMATION SOLUTIONS, INC.,  
EQUIFAX INFORMATION  
18 SERVICES, LLC, CAPITAL ONE  
BANK, a national association, and  
19 PATENAUDE & FELIX, APC, a law  
firm,

20 Defendants.

CASE NO. 3:07-cv-04980 MJJ

The Hon. Claudia Wilken

**STIPULATION OF DISMISSAL  
WITH PREJUDICE PURSUANT TO  
RULE 41(A)(1) OF THE FEDERAL  
RULES OF CIVIL PROCEDURE**

[Proposed] Order filed concurrently  
herewith

21  
22  
23  
24  
25 Plaintiff Emelia Pasternak ("Plaintiff"), and DEFENDANT, Patenaude &  
26 Felix, APC, ("Defendant"), by and through their counsel of record hereby enter into  
27 this Stipulation of Dismissal With Prejudice with reference to the following recitals:

28 ///

**RECITALS**

A. On September 26, 2007 Plaintiff filed the instant lawsuit against Defendant, amongst others.

B. Plaintiff and Defendant have now entered into a confidential settlement agreement pursuant to which, among other things, the parties have agreed to dismiss this action with prejudice.

Based on the foregoing, Plaintiff and Defendant stipulate and agree as follows:

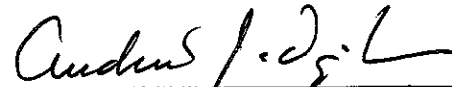
**STIPULATION**

1. The operative complaint against Defendant Patenaude & Felix, APC in the above-captioned action is hereby dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

2. Each party shall bear his or its (as the case may be) own fees and costs incurred in this adversary proceeding.


Kemnitzer Anderson Barron Ogilvie & Brewer, LLP

Dated: April 28, 2008

  
Andrew Jones Ogilvie, for  
Plaintiff

LEWIS BRISBOIS BISGAARD & SMITH LLP

Dated: 4/30/08

  
Stephen H. Turner  
Brian Slome  
Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on the 8<sup>th</sup> day of May, 2008, I electronically transmitted the foregoing document to the Clerk's office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Andrew J. Ogilvie, Esq.  
Attorney for Plaintiff Emelia M. Pasternak

Thomas P. Quinn, Esq.  
Attorney for Defendant Equifax

Donald E. Bradley, Esq.  
Attorney for Defendant Trans Union

David L. Wallach, Esq.  
Attorney for Defendant Experian

Veronica Kuiumdjian, Esq.  
Attorney for Defendant Capital One Bank

By: /s/ Stephen H. Turner

LEWIS BRISBOIS BIGGAARD & SMITH LLP

221 NORTH FIGUEROA STREET, SUITE 1200

LOS ANGELES, CALIFORNIA 90012-2801

TELEPHONE (213) 250-1800

1 STEPHEN H. TURNER, SB# 89627.  
E-Mail: turner@lbbslaw.com  
2 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
221 North Figueroa Street, Suite 1200  
3 Los Angeles, California 90012  
Telephone: (213) 250-1800  
4 Facsimile: (213) 250-7900.

5 ROGER S. RAPHAEL, SB #111946  
E-Mail: raphael@lbbslaw.com  
6 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
One Sansome Street, Suite 1400  
7 San Francisco, California 94104  
Telephone: (415) 362-2580  
8 Facsimile: (415) 434-0882

9 Attorneys for Defendant Patenaude & Felix, APC

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

13 EMELIA M. PASTERNAK,

14 Plaintiff,

15 v.

16 TRANS UNION, LLC, EXPERIAN  
INFORMATION SOLUTIONS, INC.,  
17 EQUIFAX INFORMATION  
SERVICES, LLC, CAPITAL ONE  
18 BANK, a national association, and  
PATENAUDE & FELIX, APC, a law  
19 firm,

20 Defendants.

CASE NO. 3:07-cv-04980 MJJ

The Hon. Claudia Wilken

21  
22  
23  
24  
25  
26  
27  
28  
[PROPOSED] ORDER RE:  
STIPULATED DISMISSAL WITH  
PREJUDICE

26 Based on the above Stipulation, this Court hereby orders Plaintiff's Complaint  
27 against Defendant, Patenaude & Felix, APC, is to be and herewith is dismissed  
28 WITH prejudice in accordance with the terms of their settlement agreement.

1 **IT IS SO ORDERED**

2  
3  
4  
5 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
District Court Judge

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES, CALIFORNIA 90012-2601  
TELEPHONE (213) 250-1800

CERTIFICATE OF SERVICE

I certify that on the 8<sup>th</sup> day of May, 2008, I electronically transmitted the foregoing document to the Clerk's office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Andrew J. Ogilvie, Esq.  
Attorney for Plaintiff Emelia M. Pasternak

Thomas P. Quinn, Esq.  
Attorney for Defendant Equifax

Donald E. Bradley, Esq.  
Attorney for Defendant Trans Union

David L. Wallach, Esq.  
Attorney for Defendant Experian

Veronica Kuiumdjian, Esq.  
Attorney for Defendant Capital One Bank

By: /s/ Stephen H. Turner

LEWIS BRISBOIS BISGAARD & SMITH LLP

221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES, CALIFORNIA 90012-2601  
TELEPHONE (213) 250-1800